

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SEAN KINCADE,

Plaintiff,

v.

**PORTFOLIO RECOVERY
ASSOCIATES, LLC,**

Defendant.

:
:
:
:
:
:
:
:
:
:
:
:

CASE NO. 2:20-cv-1619

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that on this date, Defendant Portfolio Recovery Associates, LLC hereby removes the above-captioned matter to this Court from the Court of Common Pleas of Allegheny County, Pennsylvania and in support thereof avers as follows:

1. Portfolio Recovery Associates, LLC. is a defendant in a civil action originally filed on July 27, 2020 in the Court of Common Pleas of Allegheny County, Pennsylvania titled *Sean Kincade v. Portfolio Recovery Associates, LLC* and docketed to Case No. GD-20-008031.

2. The removal is timely under 28 U.S.C. § 1446(b). PRA received service of Plaintiff's Complaint by certified mail on October 6, 2020.

3. Pursuant to 28 U.S.C. § 1446, attached here as Exhibit A are copies of all process, pleadings, and orders filed in the state court action.

4. The District Court¹ has original jurisdiction over this action pursuant to 28 U.S.C. § 1331, in that Plaintiff has filed claims against PRA alleging violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.*

5. On this date, PRA has provided notice of this Removal to counsel for Plaintiff and to the Court of Common Pleas of Allegheny County, Pennsylvania.

WHEREFORE, Defendant Portfolio Recovery Associates, LLC respectfully removes this case to the United States District Court for the Western District of Pennsylvania.

Respectfully submitted,

MESSER STRICKLER, LTD.

By: /s/ Lauren M. Burnette
LAUREN M. BURNETTE, ESQUIRE
PA Bar No. 92412
12276 San Jose Blvd.
Suite 718
Jacksonville, FL 32223
(904) 527-1172
(904) 683-7353 (fax)
lburnette@messerstrickler.com
Counsel for Defendant

Dated: October 26, 2020

¹ Plaintiff commenced this claim in Allegheny County, Pennsylvania notwithstanding the fact that his alleged causes of action arose in Lancaster County, Pennsylvania which lies within jurisdiction of the U.S. District Court for the Eastern District of Pennsylvania. *See* Plaintiff's Complaint, ¶ 1.

CERTIFICATE OF SERVICE

I certify that on October 26, 2020, a true copy of the foregoing document was served
as follows:

Via Email and US Mail Postage Prepaid

Joshua P. Ward
Kyle Steenland
The Law Firm of Fenters Ward
The Rubicon Building
201 South Highland Avenue
Suite 201
Pittsburgh, PA 15206
JWard@FentersWard.com
KSteenland@FentersWard.com
Counsel for Plaintiff

Via Electronic Filing

Court of Common Pleas
Allegheny County
414 Grant St.
Pittsburgh, PA 15219

MESSER STRICKLER, LTD.

By: */s/ Lauren M. Burnette*
LAUREN M. BURNETTE, ESQUIRE
PA Bar No. 92412
12276 San Jose Blvd.
Suite 718
Jacksonville, FL 32223
(904) 527-1172
(904) 683-7353 (fax)
lburnette@messerstrickler.com
Counsel for Defendant

Dated: October 26, 2020